

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

**PLAINTIFFS' AMENDED UNOPPOSED MOTION FOR LEAVE TO FILE
SECOND AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiffs, Typhoon Touch Technologies, Inc. and Nova Mobility Systems, Inc. respectfully request the Court's leave to file Plaintiffs' Second Amended Complaint for Patent Infringement and in support respectfully show:

1. Plaintiffs' Second Amended Complaint adds ten additional party defendants to the action and alleges with greater specificity the infringing activities. During the pendency of the above-entitled action, Plaintiffs continued investigation of products that infringe one or more claims of the patents-in-suit revealed that the entities which Plaintiffs seek to add make, use, sell and/or offer for sale in the United States products which infringe the patents-in-suit.
 2. This unopposed Motion for Leave to File a Second Amended Complaint is essentially the same motion that was filed on Monday, June 16, 2008, and was

approved by the court on Tuesday, June 17, 2008. Three additional Defendants were inadvertently omitted from the proposed Second Amended Complaint. A copy of the true and correct version of the proposed Second Amended Complaint is attached as Exhibit A to this motion.

3. Counsel for Plaintiffs have conferred with counsel for the above-entitled Defendants Dell, Inc., Xplore Technologies Corporation of America, and Sand Dune Ventures, Inc. and each has consented to the filing of Plaintiffs' Second Amended Complaint.
4. Attached as Exhibit A to this motion is a true and accurate copy of Plaintiffs' Second Amended Complaint for Patent Infringement.
5. Subject to the Court's ruling on this motion, Plaintiffs respectfully advise the Court that this action is not ready for a status conference in order that the additional parties may have adequate opportunity to appear and answer.

Premises considered, Plaintiffs, Typhoon Touch Technologies, Inc. and Nova Mobility Systems, Inc., respectfully request that the Unopposed Motion for Leave to File Plaintiffs' Second Amended Complaint for Patent Infringement by granted.

Dated: June 17, 2008

Respectfully submitted,

/s/ Michael J. Truncale _____

Michael J. Truncale
Bar No. 20258125
Orgain Bell & Tucker, LLP
470 Orleans
P.O. Box 1751
Beaumont, TX 77704
(409) 838-6412
Fax: (409) 838-6959
mjt@obt.com

**ATTORNEY FOR PLAINTIFFS
TYPHOON TOUCH TECHNOLOGIES,
INC. and NOVA MOBILITY SYSTEMS, INC.**

**OF-COUNSEL FOR PLAINTIFFS
TYPHOON TOUCH TECHNOLOGIES, INC. and NOVA MOBILITY SYSTEMS, INC.:**

H. Keeto Sabharwal
N.Y. Bar No. 2910453
Sabharwal@blankrome.com

Nirav N. Desai
Virginia Bar No. 72887
Desai@blankrome.com

BLANK ROME LLP
600 New Hampshire Ave., N.W.
Washington, DC 20037
Phone: (202) 772-5932
Fax: (202) 772-5858

CERTIFICATE OF CONFERENCE

I hereby certify that the filing of this motion has been discussed with the attorneys representing the other parties in this lawsuit, and there is no opposition to the filing of this motion.

/s/ Michael J. Truncale

Michael J. Truncale

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this 18th day of June, 2008. All other counsel not deemed to have consented to service in such manner will be served via facsimile transmission and/or first class mail.

/s/ Michael J. Truncale

Michael J. Truncale